

PATENT
Serial No. 09/786,102
Amendment in Reply to Office Action mailed on March 22, 2006

REMARKS

The following remarks are being filed in response to the Office Action mailed March 22, 2006, which has been reviewed and carefully considered.

Claims 8-10 have been canceled without prejudice, claims 1-7 have been amended and claims 11-19 have been added. Claims 1-19 are now pending in this application, with claims 1 and 11 being the only independent claim.

Reconsideration and allowance of the application in view of the following remarks are respectfully requested.

In the Office Action, the Examiner objected to the drawings because of lack of labels in FIGs 1-5. In response, labels have been added to FIGs 1-5. Replacement sheets including FIGs 1-5 are enclosed. Applicants respectfully request withdrawal of the drawings objection and approval of the enclosed proposed drawing changes.

In the Office Action, the Examiner suggested adding headings to the specification. Applicants gratefully acknowledge the Examiner's suggestion, however respectfully decline to add the

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headings as they are not required in accordance with MPEP §608.01(a).

In the Office Action, the Examiner objected to the Abstract for not being a single paragraph. In response, the current Abstract has been deleted and substituted with the enclosed New Abstract which better conforms to U.S. practice. Further, the specification has been amended to correct a typographical error noted upon review.

In the Office Action, claims 1-7 were objected to for certain informalities. In response, claims 1-7 have been amended to remove the informalities noted by the Examiner as well as other informalities. Claims 1-7 were not amended in order to address issues of patentability and Applicants respectfully reserve all rights under the Doctrine of Equivalents. Accordingly, withdrawal of the objection to claims 1-7 is respectfully requested.

In the Office Action, claims 1 and 6 are rejected under 35 U.S.C. §112, second paragraph as allegedly indefinite. Without agreeing with the Examiner, and in the interest of advancing prosecution, claims 1 and 6 have been amended to remove the informalities noted by the Examiner. It is respectfully submitted

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that this rejection of claims 1 and 6 has been overcome and an indication as such is respectfully requested.

In the Office Action, claims 1-7 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,353,890 (Newman). It is respectfully submitted that claims 1-19 are patentable over Newman for at least the following reasons.

Newman is directed to a method for copy protecting a record carrier using a pattern of logical errors that cannot be corrected by error correcting rules. The non-correctable error patterns are used as access control. In particular, access is provided upon detection of the non-correctable error patterns. As recited on column 1, lines 55-59, a copy of the carrier will not be accessible since the copy will not include the error patterns.

Accordingly, Newman is concerned with copy protection and preventing error correction. Newman is not even concerned with both identification information and user information, let alone be concerned with organizing both the identification and user information in such a manner that both the identification and user information are in a format processable, e.g., correctable, by the very same error correction means.

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There is simply no teaching or suggestion in Newman of the present invention as recited in independent claim 1, and similarly recited in independent claim 11 where, amongst other patentable elements, claim 1 requires (illustrative emphasis provided):

organization means for organizing the identification information and the user information in such a manner that both the identification information and the user information are processable by the error correction means.

These features are nowhere taught or suggested in Newman. Accordingly, it is respectfully submitted that independent claims 1 and 11 are allowable, and allowance thereof is respectfully requested. In addition, it is respectfully submitted that claims 2-7 and 12-19 should also be allowed at least based on their dependence from independent claims 1 and 11.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position,

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should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

It is believed that no additional fees or charges are currently due. However, in the event that any additional fees or charges are required for entrance of the accompanying amendment, they may be charged to Applicants' representatives Deposit Account No. 50-3649. In addition, please credit any overpayments related to any fees paid in connection with the accompanying amendment to Deposit Account No. 50-3649.

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In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

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Enclosure: Replacement drawing sheets (3 sheets including FIGs 1-5)
New Abstract

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IN THE ABSTRACT

Please delete the current Abstract in its entirety and
substitute therefor the enclosed New Abstract.